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 26 EZRA COHEN and U.S. SPECIALTY INSURANCE COMPANY

27 UNITED STATES DISTRICT COURT  
 28 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

29 CESAR GONZALEZ MARROQUIN and  
 30 VINCENT DE LA TORRE,

31 Plaintiffs,

32 v.

33 ASHRON CONSTRUCTION &  
 34 RESTORATION, INC.; EZRA COHEN;  
 35 and U.S. SPECIALTY INSURANCE  
 36 COMPANY,

37 Defendants.

Case No. 13-CV-00421 (HRL)

**STIPULATION FOR FILING OF SECOND  
 AMENDED COMPLAINT**

38 Plaintiffs CESAR GONZALEZ MARROQUIN and VINCENT DE LA TORRE and  
 39 Defendants ASHRON CONSTRUCTION & RESTORATION, INC.; EZRA COHEN; and U.S.

1 SPECIALTY INSURANCE COMPANY through their attorneys of record, hereby stipulate as  
2 follows:

3 1. WHEREAS, Plaintiffs and Defendants met and conferred regarding potential  
4 amendments and revisions to the Complaint in order to facilitate settlement proceedings;

5 2. WHEREAS, the parties have agreed that Plaintiff may file a Second Amended  
6 Complaint, which removes some factual allegations only, a copy of which is attached hereto as  
7 Exhibit A.

8 3. WHEREAS, the parties have agreed that Defendants waive notice and service of the  
9 Second Amended Complaint and shall not be required to answer the amendment.

10 4. WHERAS, the parties agree that this amendment will not necessitate any  
11 modifications of deadlines already set by the Court.

12 NOW THEREFORE, the parties jointly request that the Court grant leave to the Plaintiffs to  
13 file the proposed Second Amended Complaint.

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15 IT IS SO STIPULATED.  
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1 Dated: February 26, 2014

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3 //s// Phung H. Truong  
4 Tomas E. Margain  
5 Huy Tran  
6 Phung H. Truong  
7 JUSTICE AT WORK LAW GROUP  
8 Attorneys for Plaintiff  
9 CESAR GONZALEZ MARROQUIN and  
10 VINCENT DE LA TORRE

11 Dated: February 26, 2014

12  
13 //s// Chelsea K. Dunton  
14 Dawna J. Cilluffo  
15 Chelsea K. Dunton  
16 DC LAW  
17 Attorneys for Defendants  
18 ASHRON CONSTRUCTION &  
19 RESTORATION, INC., EZRA COHEN and  
20 U.S. SPECIALTY INSURANCE COMPANY  
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**ORDER**

Based on GOOD CAUSE shown, leave to file the Second Amended Complaint attached as Exhibit A to the stipulation is hereby granted. Defendants do not need to file an Answer as the Answer on file is deemed the responsive pleading. This amendment shall also not modify any deadlines already set by this Court.

IT IS SO ORDERED.

DATED: March 7, 2014

By: \_\_\_\_\_

  
HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE